

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DANIEL J. DOBER,

Petitioner,

V.

ROBERT P. HOUSTON, Director  
Nebraska of Corrections, and FRED  
BRITTEN, Warden, Tecumseh Corre.  
Inst.,

Respondents.

8:08CV182

# MEMORANDUM AND ORDER

Petitioner has filed a petition for writ of habeas corpus under 28 U.S.C. § 2254, an application to proceed in forma pauperis, and a copy of his institutional trust account statement. (Filing Nos. 1-4.)

Habeas corpus cases attacking the legality of a person's confinement require the payment of a \$5.00 fee. 28 U.S.C. § 1914(a). However, pursuant to 28 U.S.C. § 1915(a)(1)-(2), and after considering Petitioner's financial status as shown in the records of this court, provisional leave to proceed in forma pauperis will be granted and the petitioner is relieved from paying the fee at this time.

IT IS THEREFORE ORDERED that: The application to proceed in forma pauperis (filing no. 2) is provisionally granted and the petitioner will not be required to pay the \$5.00 fee at this time.

April 28, 2008.

BY THE COURT:

*s/Richard G. Kopf*  
United States District Judge